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October 20, 2016

Ex Parte

Re: Protecting the Privacy of Broadband and Other Telecommunications Services, WC
Docket No. 16-106

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Ms. Dortch:

On October 19, 2016, together with Reagan Lynch, I met with Commissioner Jessica Rosenworcel and, Travis Litman, Senior Legal Advisor to Commissioner Roscenworcel, to discuss the Commission's broadband privacy rulemaking.

We discussed the FTC approach to privacy as set out in the 2012 FTC Privacy Report ("Protecting Consumer Privacy in an Era of Rapid Change"), the scope of the rule as applied to non-ISP functions of BIAS providers, the definition of PII under the rule, whether sensitive data should be defined to include all web browsing data, and the FTC's approach to the use of customer data for first party marketing purposes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Leibowitz", with a long horizontal flourish extending to the right.

Jon Leibowitz

cc: Jessica Rosenworcel, Commissioner
Travis Litman, Senior Legal Advisor to Commissioner Rosenworcel